

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for February 16, 2005 PLANNING COMMISSION MEETING

P.A.S.: Special Permit # 1816A, Soil Excavation

PROPOSAL: To continue a soil excavation operation.

LOCATION: NW 40th Street and W. Vine St.

WAIVER REQUEST: n/a

LAND AREA: 62 acres, more or less.

CONCLUSION: This is a continuation of an existing operation. It is in conformance with the Comprehensive Plan and zoning.

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| <u>RECOMMENDATION:</u> | Conditional Approval |
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 59 I.T., located in the southwest quarter of Section 20, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Soil excavation site.

SURROUNDING LAND USE AND ZONING:

North: Airport property, zoned AG and P
South: I-80, zoned H-4
East: Ag land, zoned AG
West: Ag land, zoned AG

ASSOCIATED APPLICATIONS: none.

HISTORY: Special Permit 1816 for excavation, was approved in January 2000. This permit has expired. A special permit was approved to the east of this parcel in Feb 1994 (#1489). A second special permit (#1489A) was approved for soil excavation adjacent to the east of this site in February 1996, for a period of one year, renewable up to three years. That permit has now expired. Changed from AA Rural and Public Use to AG Agriculture with the adoption of the 1979 Zoning Update.

COMPREHENSIVE PLAN SPECIFICATIONS: This is shown as Agricultural, inside the Tier I area. The Airport West Subarea Plan, now in the adoption process, shows this as Industrial and also shows NW 40th street extending to the south.

UTILITIES: This is outside the City limits. Utilities are not yet available.

TOPOGRAPHY: Gently rolling hills, falling off to the south.

TRAFFIC ANALYSIS: NW 40th and W Vine Street are gravel county roads.

PUBLIC SERVICE: This area is served by the Lincoln School District, the Southwest Rural Fire District, and is in the LES service area

REGIONAL ISSUES: Interstate views.

ENVIRONMENTAL CONCERNS: The proposed excavation includes issues of dust control, erosion control, restoration of topsoil and vegetation, and sedimentation control. There are drainage and treed areas on the northeast of this site that are to be protected and retained. The soil rating is/was 4.6. On a scale of 1 to 10 where 1-4 is prime land, this is not prime agriculture soil. This is within the airport noise zone.

AESTHETIC CONSIDERATIONS: This site abuts Interstate 80

ALTERNATIVE USES: Agricultural uses.

ANALYSIS:

1. This proposal is for the continuation of a special permit for soil excavation operation on a 62 acre site generally located on the south side of West Vine street and east of NW 40th street. Grading cuts of up to 46 feet are proposed.
2. This would be a continuation of the 1996 and 2000 operations, for the purpose of a source of fill in the west Lincoln and Lancaster County area.
3. The City County Health Department notes Air Pollution regulations apply.
4. The County Engineers letter of December 29, 2004 states;

All prior conditions shall continue to apply, they were;

1. Applicant shall enter into a Road Maintenance Agreement with Lancaster County for West Vine and NW 27th Streets.

2. Site shall be gated and locked during all times of non-use.
3. Access shall be limited to one location ONLY and approved by the County Engineering Department.
4. Proper erosion control and drainage shall be maintained at all times to prevent any damages to West Vine Street.
5. West Vine Street and NW 27th Street shall be maintained on a regular basis during operations and be free of mud and /or clods of dirt.
6. Permission is needed from the Nebraska Department of Roads for the construction of the 24" basin outfall pipe on Interstate 80 right-of-way.
7. The deep cut adjacent to West Vine Street will create a hazardous condition for the traveling public, particularly if this area is developed and West Vine Street becomes much busier.
8. Show existing culverts under West Vine Street. The culvert near the middle of the site will be affected by the grading. Provisions shall be made for this culvert.

In addition, access and use of this mining permit is only via West Vine Street to NW 27th Street to "O" Street. Use of NW 40th Street and West Holdrege Street is not permitted.

5. Public Works notes no objections.
6. A \$5,000 bond has been typically required for sediment and drainage and for reseeding. This did apply to the prior permit and should be extended for this request.
7. An NPDES permit will be required. Phasing of excavation and restoration is proposed and will greatly help erosion control.
8. The special permit provisions for mining and extraction of minerals in the AG district (27.63.360) refers to the conditions listed in the special permit section of sand, gravel and soil (27.63,160). These conditions are addressed by the applicant as follows;
 - a) The applicant provided a grading plan showing existing contours, and proposed /final contours.
 - b) The applicant states there will be no effect on groundwater since this is on the top of a hill in a heavy clay area.

- c) There will be no vehicles or equipment stored on the site.
 - d) Erosion controls will be installed as needed and shown to prevent encroachment on adjoining property.
 - e) The applicant states the excavation will be done so no ponding of water will occur.
 - f) The top soil will be stripped off and redistributed on the site after excavation for continued agriculture use .
 - g) All cuts will be returned to a slope of less than three to one. Visual screening is requested to be waived since this is not adjacent to any residential uses. Access is proposed at West Vine St.
 - h) All areas of cut will be restored with topsoil and returned to agricultural use upon completion of the excavation.
9. The tree mass and drainage area to be preserved in the northwest area of the site is noted on the site plan just west of the excavation.
10. The five year permit with one year extensions was requested by the applicant and was a condition in the prior permit. The city practice has been to have a limited time and annual review to ensure the conditions were met and new issues did not arise.

CONDITIONS:

Site Specific:

- 1. This approval permits a soil, sand and gravel excavation for a period of one (1) year, which may be renewed by administrative amendment, on an annual basis, for up to five years from the date of approval of this special permit. Visual screening is waived, but the entrance shall be gated and the area fenced.
- 2. The permittee shall complete the following instructions and submit the documents and plans to the Planning Department for review and approval.
 - 2.1 A revised site plan including 5 copies showing the following revisions: Before beginning excavation operations:
 - 2.1.1 A better delineation of the tree mass and drainage area proposed to be preserved.

- 2.1.2 Add a note that the site shall be locked at all times of non-use.
- 2.1.3 Add a note that access and use of this mining permit is only via West Vine Street to NW 27th Street to "O" Street. Use of NW 40th Street and West Holdrege Street is not permitted
- 2.2 Post a bond in the amount \$5,000 to guarantee erosion control and the restoration of topsoil and vegetation.
- 2.3 Provide a plan showing the erosion control measures, and a phased vegetation replacement plan that is satisfactory to the Lower Platte South NRD.
- 2.4 Applications for driveways shall be approved by the County Engineer. The applicant shall be responsible to maintain West Vine St. road surface and be free of mud and soil from this operation.
- 2.5 Provide a dust control plan to the satisfaction of the Health Department.
- 2.6 Enter a Road Maintenance Agreement with Lancaster County for West Vine and NW 27th Streets.
- 2.7 State Department of Roads shall approve all use or activity on Interstate I-80 right-of-way.
- 2.8 An NPDES Permit shall be approved.
- 2.9 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

- 3. The following conditions are applicable to all requests:
 - 3.1 Before operating this soil excavation operation, all development and construction is to comply with the approved plans.
 - 3.2 All applicable local, state and federal codes shall be complied with.
 - 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov

DATE: January 28, 2005

APPLICANT: Ross Engineering, Inc
201 N. 8th St. Suite 401
Lincoln, NE 68508
(402) 474-7677

OWNER: Noel L. and Gloria J. Chadd,
3335 N. 13th St.
Lincoln, NE 68521
(402) 430-7556 (cell)

CONTACT: Ron Ross
(402) 474-7677

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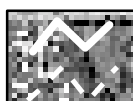
Special Permit #1816A **NW 40th & Vine St.** **Soil Excavation**

2002 aerial

Zoning:

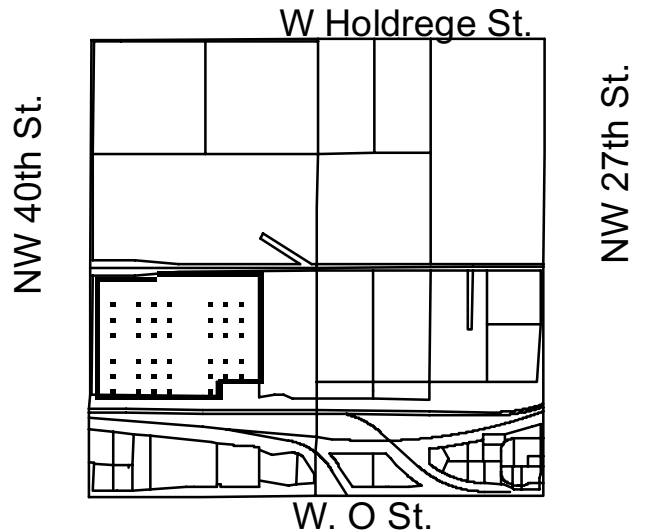
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| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

One Square Mile
 Sec. 20 T10N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



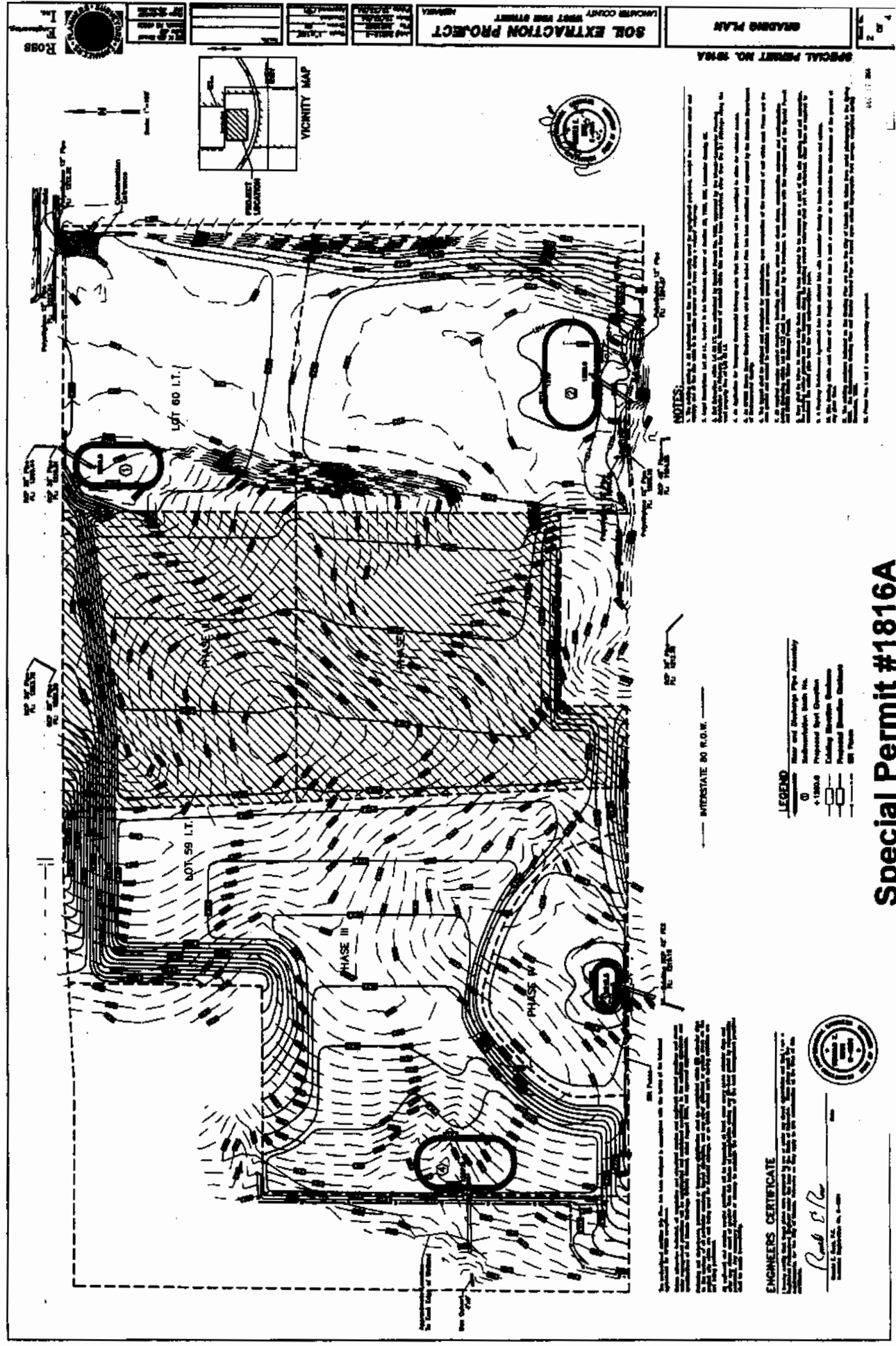
DECEMBER, 2004

It will be the Contractor's responsibility to inform the Engineer of any critical points and let services that may be destroyed during construction so that these points may be avoided. The cost of resetting points but here not being offset will be paid by the contractor. Reimburse for efforts must be made 48 hours in advance.

STATE WIDE ONE-CALL
DIAL BEFORE YOU DIG - 800-331-5666**



**Special Permit #1816A
NW 40th & Vine St.
Soil Excavation**



Special Permit #1816A NW 40th & Vine St. Soil Excavation

- LEGEND**
- Top and Subgrade Per. Boundary
 - Subgrade Per. Boundary
 - Proposed Soil Excavation
 - Existing Boundary
 - Proposed Boundary
 - Per. Boundary

ENGINEERS CERTIFICATE

I, Robert L. Smith, P.E., hereby certify that the above is a true and correct copy of the original plan and specification for the above project, and that the same have been prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of North Carolina.

Witness my hand and seal this 10th day of April, 2010.

Robert L. Smith, P.E.

NOTES:

- The project is located on the NW 40th & Vine St. intersection, within the existing right-of-way.
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| SCHEDULE OF ESTABLISHED QUANTITIES | | | |
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| ITEM | DESCRIPTION | UNITS | QUANT. |
| 1 | 1" x 12" Joist | LF | 17,181 |
| 2 | Joist Brackets | EA | 1,900,004 |
| 3 | End Plate Joist Connect | EA | 244,458 |
| 4 | End Plate Joist Connect | EA | 1,168 |
| 5 | End Plate Joist Connect | EA | 1,168 |
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ESTABLISHED QUANTITY NOTED

1. Upon completion of the site study, the completed report shall be placed in the binder and the binder shall be placed in the binder.

2. ΔT . The red amount of material available for analysis is estimated at 1,100,000 c.y.

[illegible][illegible]

...the ... of ...

6. The funding request in this clause shall be included in grants with, or without, any state or federal law that provides for grants without any funding and to ensure that no law for funding shall be included.

7. The above quantity is based upon amount of funds reported for the October 1966. This figure may be reduced from adding operations on hand on 9/30/66.

GENERAL NOTES

[illegible]

24 The existing standards used as a rationale for reductions in the 1970-1980 period are the National Ambient Air Quality Standards (NAAQS) and the Federal Air Quality Criteria (FAQC). The NAAQS are based on the results of the extensive research conducted by the Environmental Protection Agency (EPA) and the National Academy of Sciences (NAS) in the 1960s and 1970s. The FAQC are based on the results of the extensive research conducted by the EPA and the NAS in the 1960s and 1970s. The NAAQS and FAQC are used to set the standards for the amount of air pollution that is allowed in the atmosphere. The NAAQS are used to set the standards for the amount of air pollution that is allowed in the atmosphere. The FAQC are used to set the standards for the amount of air pollution that is allowed in the atmosphere.

25. All systems tested successfully and installation was found to be representative of the latter half of South Island. However, because of the limited number of systems tested, the results may not be representative of the entire South Island. Other factors that may affect the results are the weather conditions during the testing and the skill of the operators.

Approved
March, 1918
Archibald

| Type "X", Permanent Seed Mix | Minimum Purity | Seed/acre |
|------------------------------|----------------|-----------|
| | (9) | |

[illegible]

| 姓名 | 性别 | 年龄 | 职业 | 住址 | 电话 |
|-----|----|----|-----|---------|------|
| 王德胜 | 男 | 45 | 教师 | XX路XX号 | XXXX |
| 李小红 | 女 | 32 | 护士 | XX街XX号 | XXXX |
| 张小明 | 男 | 28 | 学生 | XX村XX组 | XXXX |
| 赵大伟 | 男 | 50 | 工人 | XX厂XX车间 | XXXX |
| 孙丽娟 | 女 | 38 | 医生 | XX医院XX科 | XXXX |
| 周国强 | 男 | 42 | 农民 | XX乡XX村 | XXXX |
| 吴小芳 | 女 | 25 | 职员 | XX公司XX部 | XXXX |
| 郑大刚 | 男 | 35 | 工程师 | XX研究所 | XXXX |
| 陈美玲 | 女 | 30 | 记者 | XX报社 | XXXX |
| 周小强 | 男 | 22 | 学生 | XX大学XX系 | XXXX |
| 吴大伟 | 男 | 48 | 商人 | XX商场XX楼 | XXXX |
| 孙丽娟 | 女 | 35 | 教师 | XX小学XX班 | XXXX |
| 周国强 | 男 | 55 | 工人 | XX厂XX车间 | XXXX |
| 吴小芳 | 女 | 28 | 职员 | XX公司XX部 | XXXX |
| 郑大刚 | 男 | 32 | 工程师 | XX研究所 | XXXX |
| 陈美玲 | 女 | 30 | 记者 | XX报社 | XXXX |
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| 陈美玲 | 女 | 30 | 记者 | XX报社 | XXXX |
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| 吴大伟 | 男 | 48 | 商人 | XX商场XX楼 | XXXX |
| 孙丽娟 | 女 | 35 | 教师 | XX小学XX班 | XXXX |
| 周国强 | 男 | 55 | 工人 | XX厂XX车间 | XXXX |
| 吴小芳 | 女 | 28 | 职员 | XX公司XX部 | XXXX |
| 郑大刚 | 男 | 32 | 工程师 | XX研究所 | XXXX |
| 陈美玲 | 女 | 30 | 记者 | XX报社 | XXXX |
| 周小强 | 男 | 22 | 学生 | XX大学XX系 | XXXX |
| 吴大伟 | 男 | 48 | 商人 | XX商场XX楼 | XXXX |
| 孙丽娟 | | | | | |

1994年12月

Further - 100 lbs/acre of 14-0-0 or 16-0-0 or 14-10-14
which = 2 tons/acre at which lay a 2.5 ton/acre of stone
the house lay will be covered.

896 27 3088

100

SALT FENCE DETAIL

LIMESTONE OUTFALL PROTECTION

1458

CONSTRUCTION ENTRANCE DETAIL

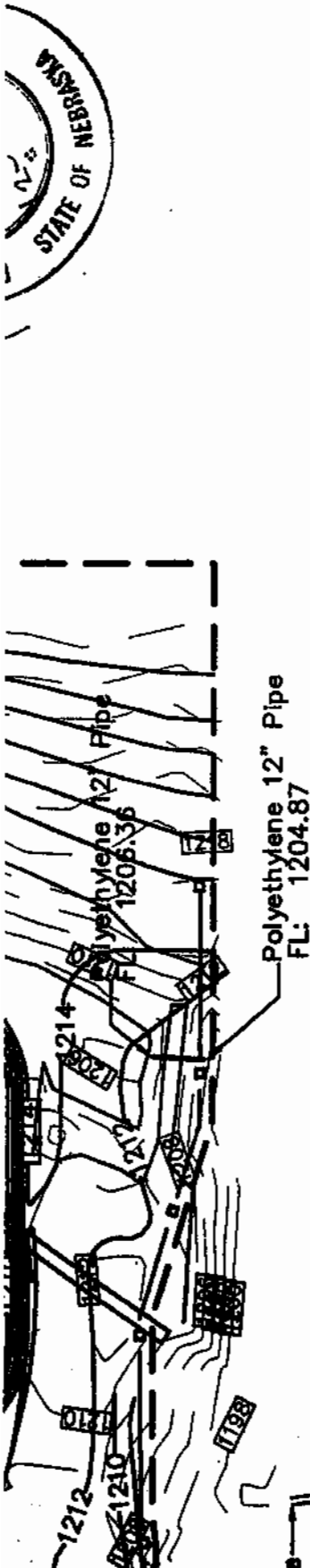
Three in

SEDIMENTATION BASIN CROSS-SECTION

2017

[illegible][illegible]

**Special Permit #1816A
NW 40th & Vine St.
Soil Excavation**



NOTES:

1. The existing zoning is AG Agricultural and the area is currently used for agricultural purposes, except the northwest corner and western end of the site which is in native grasses and trees along a natural waterway.
2. Legal Description: Lot 59 I.T., located in the Southwest Quarter of Section 20, T10N, R6E, Lancaster County, NE.
3. Soil Extraction within Lot 60 I.T. was authorized by Special Permit No. 1489, approved by the Lincoln-Lancaster Planning Commission on February 2, 1994. Removal of material within this area has been completed, other than the 3:1 sideslope along the west property line of Lot 60 I.T.
4. An Application for Temporary Commercial Driveway onto West Vine Street will be submitted to allow for vehicular access.
5. An NPDES Storm Sewer Discharge Permit and Erosion Control Plan has been submitted and approved by the Nebraska Department of Environmental Quality.
6. The topsoil shall be stripped and stockpiled for redistribution, upon completion of the removal of soil within each Phase and the area graded and seeded to establish a permanent ground cover.
7. All required erosion control measures, including silt fences, straw bale check dams, construction entrance and sedimentation basins (including within Lot 60 I.T.) shall be maintained by the Developer, in accordance with the requirements of the Special Permit and NPDES Storm Water Discharge Permit.
8. Care shall be taken to remove only those existing trees required to be removed as a part of the site grading and soil extraction. The existing native grasses and tree masses along the existing natural waterway shall not be disturbed, other than as required to construct the outlet pipe from the west sedimentation basin.
9. A Roadway Maintenance Agreement has been entered into with Lancaster County to handle maintenance and upkeep.
10. Site Grading within each Phase of the Project shall be done in such a manner as to minimize the disturbance of the ground at any given time.
11. The existing contours indicated on the Grading Plan are from the City of Lincoln GIS, taken from aerial photography in the Spring 1997. The Construction Grading Plan and Erosion Control Plan are based upon actual topographic field surveys, completed during November, 1999.
12. Phase Nos. I and II are substantially completed.

Special Permit #1816A
NW 40th & Vine St.
Soil Excavation

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SPECIAL PERMIT NO. 1816A

Soil F



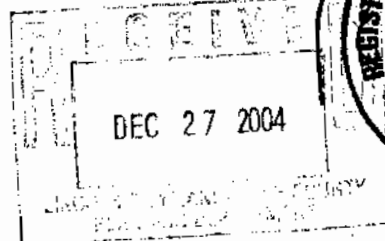
Special Permit #1816A NW 40th & Vine St. Soil Excavation

GENERAL NOTES

1. Temporary seeding shall be placed on exposed graded areas upon completion of the site grading and redistribution of topsoil, or if construction is interrupted for a period of 7 days or more. If agricultural planting does not begin within 180 days of completion of site grading and redistribution of topsoil, permanent seeding, fertilizing and mulching shall be applied to all disturbed areas.
2. The Grading contractor shall be responsible for installation of the silt fence, Sedimentation Basins, and construction entrance, and shall be responsible for the maintenance and removal of silt and dirt build-up, until thirty days after satisfactory completion and acceptance of the site grading by the owner. Until such acceptance is received, the Contractor shall inspect all erosion control measures at least once every 7 calendar days and after any storm event of greater than 0.5 inches of precipitation during any 24 hour period. All necessary repairs and clean-up shall be made immediately.
3. All erosion control materials and installation shall meet the requirements of the Lower Platte South Natural Resources District Erosion Control as modified by the City of Lincoln Drainage Criterial Manual.

| Type "X", Permanent Seed Mix | Minimum Purity (%) | Approved Mech. Drill Application Rate in lb. of Pure Live Seed/Acre |
|------------------------------|--------------------|---|
| Perennial Ryegrass-Linn | 85 | 5 |
| Western Wheatgrass-Flintlock | 85 | 8 |
| Sideoats Grama-Trallway | 75 | 4 |
| Little Bluestem-Camper | 45 | 3 |
| Sand Lovegrass-Native | 90 | 1.5 |
| Blue Grama-NE,KS,Co | 35 | 2 |
| Blue Fox | 90 | 3 |
| Black-eyed Susan | 90 | 1 |
| Red Clover - 2X Inoculation | 90 | 2 |
| Partridge Pea-Platte | 90 | 0.25 |
| Oats | 90 | 12 |

Fertilizer - 200 lbs/acre of 16-48-0 or 18-40-0 or 11-52-0.
Mulch - 2 tons/acre of prairie hay or 2.25 tons/acre of straw;
No brome hay will be allowed.



**Special Permit #1816A
NW 40th & Vine St.
Soil Excavation**

**ROSS
ENGINEERS**

SCHEDULE OF ESTABLISHED QUANTITIES

| ITEM | DESCRIPTION | UNITS | QUANT. |
|------|-------------------------------------|-------|-----------|
| 1 | 12" Stripping | CY | 17,151 |
| 2 | Total Excavation | CY | 1,500,654 |
| 3 | ** Total Fill At Closure | CY | 344,582 |
| 4 | Embankment Seeding | ACRES | 11.09 |
| 5 | Crop Area Seeding | ACRES | 57.70 |
| 6 | Riser and Discharge Piping Assembly | Ea | 4 |
| 7 | Silt Fencing | LF | 2,162 |

** Total Embankment closure requires 265,063 CY of material (in place).
Using a Compaction Factor of 1.30, the total volume of material required
equals 344,582 CY.

ESTABLISHED QUANTITY NOTES

ITEM NO. NOTES

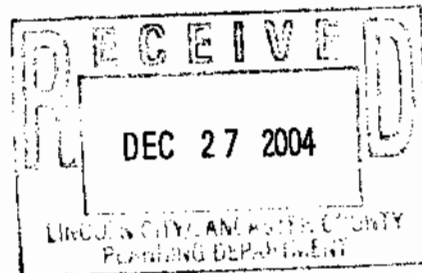
1. Upon completion of the site grading, the stockpiled topsoil shall be placed across entire site to a maximum depth of six inches.
2. & 3. The net amount of material available for use/sale is estimated at 1,138,921 C.Y. A total probable excavation quantity of 1,500,654 C.Y. is available. Of the quantity noted, 344,582 C.Y. shall be retained for filling Sedimentation Basins at closure. (Calculations of fill required include a 30% shrinkage factor.) An additional 17,151 C.Y. of striped topsoil shall be retained (See note no. 1).
4. All constructed embankment areas with slopes to 4:1 or greater, or that can not receive row crops, shall receive permanent seeding as per the noted mixture design. Seeding (either permanent or Temporary) shall be installed in all crop areas in conformance with the Erosion Control Notes indicated, unless row crops are planted in place of such seeding.
5. Price bid for Riser and Discharge Piping Assemblies shall include providing and installing all materials required to allow Sedimentation Basins to operate. All costs for CMP piping, concrete pads, reinforcing & tie down steel, crushed rock at Emergency Spillway, labor, maintenance and all other materials shall be subsidiary to this bid item.
6. Silt fencing required at Site Closure shall be installed as shown until, or unless, row crops (or seeding) has been planted and growth established. Silt fencing may be removed once row crop (or seeding) growth has been established.
7. Silt fence quantity is based upon amount of fence required for the Closure Plan. Silt fence may be re-used from mining operations as long as it is in undamaged condition.



ROSS
Engineering,
Inc.

December 23, 2004

Mr. Marvin Krout
Director of Planning
City of Lincoln
555 S. 10th Street
Lincoln, NE 68508



RE: Special Permit for Soil Extraction
Lot 59 I.T., Section 20, T10N, R6E
REI Project No. 24819-B

Dear Marvin:

On behalf of Mr. Noel L. Chadd, we are hereby submitting an Application for Special Permit to continue to extract soil within the AG Zoning District as allowed by Section 27.63.160 of the Lincoln Municipal Code. The tract of ground is generally located east of NW 40th Street, north of I-80 and south of West Vine Street; and consists of approximately 62 acres. The majority of the site is used for agricultural purposes, corn and alfalfa. Approximately 12 acres in the northwest corner and along west boundary of the property area in native grasses; and several tree masses occur along the natural waterway which drains an area north of West Vine Street, southwesterly through the property. This area will remain as it currently exists and no site grading will occur.

The enclosed Grading Plan illustrates both the current Application for a Special Permit as well as the adjacent 22 acres of land to the east previously included in a similar request, approved by the City Council as Special Permit No. 1489, on February 2, 1994. Removal of soil from within the first 22 acres of the land in Lot 60 I.T. has been completed (other than the 3:1 sideslope along the west boundary line) and the area is currently being farmed. The original sedimentation basins required as part of the Erosion Control Plan and NPDES Storm Water Discharge Permit are presently existing and will continue to function and be maintained by the Developer.

The intent of the proposed Application for Special Permit is to continue to remove existing soil material for use within the City and County, for various construction projects, to help offset the cost of the land, the erosion control measures required and ongoing maintenance of the site and the crushed rock road along the West Vine Street. Phase Nos. I and II have been substantially completed at this time, and removal of material in Phase III will now commence. The topsoil will be stripped and stockpiled for future distribution, upon completion of removal of material and finish grading of each Phase. Long range plans are to develop this land with industrial uses.

The material will be removed in two additional Phases, as indicated on the Grading Plan. Upon completion of an area within each Phase, the topsoil will be replaced and the respective area seeded. Erosion Control methods will be implemented within each Phase of the mining operation, in accordance with the approved Erosion Control Plan and NPDES Storm Sewer Water Discharge Permit approved by the Nebraska Department of Environmental Quality.

A Road Maintenance Agreement has been entered into with Lancaster County, similar to the one required with Special Permit No. 1489. The Agreement is to provide for the necessary road and maintenance along West Vine Street, between NW 27th Street and NW 40th Street. An application for a temporary commercial access to the site has been approved. Maintenance of West Vine Street includes application of calcium Chloride (38% solution) at an application rate of 0.25 to 0.30 gallons per square yard of area. This work is contracted out to Husker Chemical Sales in Weeping Water, NE.

The Developer Noel L. Chadd, will continue to maintain the present sedimentation basins within Lot 60 I.T. that will receive some storm sewer runoff and sediment, as well as the additional sedimentation basins and other erosion control methods required within each Phase of the proposed soil extraction operation in Lot 59 I.T.

The existing two foot contours indicated on the Grading Plan are from actual field surveys completed in November 1999.

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The Candy Factory
201 North 8th Street
Suite 401
Lincoln, NE 68508
Phone 402.474.7677
Fax 402.474.7678

www.rossengineering.com

The Developer requests that the Special Permit be approved for a period of five years from the date of approval of the Special Permit by the Planning Commission. In addition, we request that the Special Permit be allowed to be extended for one year at a time by Administrative Amendment, provided that all conditions of approval of the Special Permit are satisfactorily adhered to.

Enclosed you will find the following information in conjunction with this Application;

- | | | |
|----|--------------------------------|-----------|
| 1. | Cover Sheet | 18 copies |
| 2. | Grading Plan | 18 copies |
| 3. | Closure Plan | 18 copies |
| 4. | Detail Plan | 18 copies |
| 5. | Lancaster County Soil Map | 1 copy |
| 6. | Application for Special Permit | 1 copy |
| 7. | Filing Fee/Check | \$740 |
| 8. | Certificate of Ownership | |
| 9. | Arial Photograph | 1 copy |

If you have any comments or questions, please feel free to give me a call. We understand that this Application will be scheduled for Public Hearing before the Planning Commission sometime in January 2005.

Sincerely,

ROSS ENGINEERING, INC.

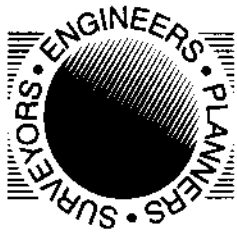


Ron E. Ross, P.E.
President

Cc: Noel Chadd

Enclosure

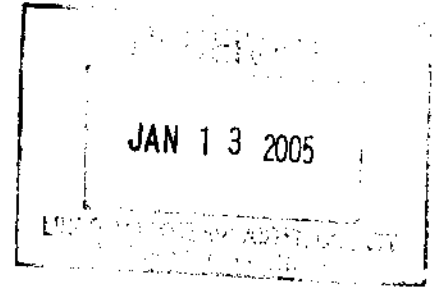
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ROSS
Engineering,
Inc.

SP.18110A

December 23, 2004



Mr. Marvin Krout
Director of Planning
City of Lincoln
555 S. 10th Street
Lincoln, NE 68508

RE: Special Permit for Soil Extraction
Lot 59 I.T., Section 20, T10N, R6E
REI Project No. 24819-B

Dear Marvin:

On behalf of Mr. Noel L. Chadd, we are hereby requesting that the hearing for the Special Permit that is to be held before the Planning Commission on February 2, 2005, be postponed until the Planning Commission Hearing that is being held on February 16, 2005, due to the fact that our Client will be out of town and would like to be present for this.

If you have any comments or questions, please feel free to give me a call

Sincerely,

ROSS ENGINEERING, INC.

Ron E. Ross
Ron E. Ross, P.E.
President

cc: Mike DeKalb
Noel Chadd
Barb Harrigan

24819L02.doc

The Candy Factory
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Phone 402.474.7677
Fax 402.474.7678

www.rossengineering.com

Lancaster

DON R. THOMAS - COUNTY ENGINEER

County


Engineering

Department

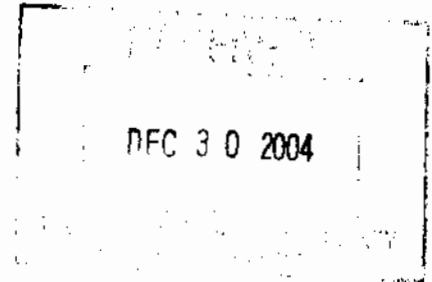
DEPUTY - LARRY V. WORRELL
COUNTY SURVEYOR

DATE: December 29, 2004

TO: Mike DeKaib
Planning Department

FROM: Larry V. Worrell 
County Surveyor

SUBJECT: SPECIAL PERMIT #1816, CHADD CONSTRUCTION
MINING PERMIT EXTENSION



Upon review, all conditions as previously required to be the same.

In addition, access and use of this mining permit is only via West Vine Street to NW 27th Street to "O" Street.

Use of NW 40th and West Holdrege Street is not permitted for this permit.

LVW/bml

SPEC. PMT. EVENTS\1816-Chadd Const Mining Ext 2005.Mem

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE: January 10, 2005

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File

SUBJECT: Chadd Soil Excavation

EH Administration

SP #1816A

The Lincoln-Lancaster County Health Department has reviewed the special permit application with the following noted:

- The applicant must comply with the Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Memorandum

| | |
|-----------------|--|
| To: | Mike DeKalb, Planning Department |
| From: | Charles W. Baker, Public Works and Utilities |
| Subject: | Chad Soil Excavation Special Permit #1816A |
| Date: | January 4, 2005 |
| cc: | Randy Hoskins |
| | |

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Chad Soil Excavation Special Permit #1816A located at Northwest 40th and Vine Streets. Public Works has no objections.